

**Gallatin County Interim Zoning Gravel Pit Task Force  
Minutes July 10, 2009**

**Date:** July 10, 2009

**Time:** 6:30 AM

- Belgrade City Hall, 91 E. Central

**Task Force Members Present:** Don Seifert, Shane Skinner, Alvin VanderVos, Sandy Lee, Dick Huttinga, Jackie Flikkema, Rich Morse

**Task Force Members Absent:** Drew Jenkins, Ron Pike

**County Staff/Personnel Present:** Jason Karp, Heidi Jensen, Tom Rogers

**County Commissioners Present:** None

**Public Present:** Carol Roark, Jerry Rice

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Meeting commenced at 6:44 AM

No Public Comment.

The TF started with the definitions in the draft. Adjacency was decided to be used with the proposed language. Development Plan was heavily discussed with the wording of time table. The operators were not in agreement to have a time table or time table language within the definition. The public was interested in having some predictability. Jackie wants this to be recognized as a gravel pit not a development. It is a product that is determined by need. Development plan could not be agreed on and the definition will have to be something the TF comes back to and looks at later. Jason mentioned how a development plan wasn't something that the developer had to use it was something they may use. May instead of shall language needs to be looked into. Rich talked about really liking the idea of having the whole plan instead of just one small area at a time. It could be an advantage to the operator.

Jackie does not like the MEPA definition of environmental assessment or environmental impact statement. She felt it was too vague, and open to interpretation. She thought maybe we could do more research and find another definition. Tom asked if the predefined definitions such as cumulative impacts if we are changing one then we can change others. She would be happy to look at different definitions. Don agreed it was vague but he doesn't feel comfortable getting too far away from state law. Rich thought where we were was including the MEPA definition of EIS so the public would understand. Alvin wondered if we weren't using it in the Class III pits why do we need the definition. Don talked about how an EIS may be required by DEQ and referenced by the EA.

A definition for light industry will be provided for the next meeting. Jackie does not like the notification requirements because she can only support the idea that you either need a CUP or you don't. She doesn't like the option for rubber stamping. She is saying that you do a CUP. Rich is asking is that a protectionist issue? Jackie wants everybody to play by the same rules. Jerry said they have that issue going on today. Rich asked what was going on? Jerry said there was stuff going on out by Manhattan, where a group wanted to put a gravel pit. Jackie thinks the person got an advantage on the project. Tom disagreed. Jackie said that if someone had the knowledge of what was going on and plugged in the numbers they would have known the price of the project. The operator did not know the process he was going to have to go through. Tom said that he contacted the county in advance and knew that he had to go through the CUP process. Jackie's concern was that everybody has to go through the same process. Jerry said he was originally going to go through an existing pit. The operator in Manhattan is going to have to open a pit and go through the DEQ and county process. He will have to do some mitigation with the county. Don asked if he was aware prior to the bidding if he needed to go through the CUP process? Tom said yes, and has documentation in his phone logs. He was not aware that he needed to get an open cut permit. Rich said that the Class II was important because it does put everybody on the same playing field. Jackie said we are going to have to agree to disagree. There is no way she will ever support the separate classes. Don said that one of the concerns is that something goes in a neighborhood and it will be in and out, the neighbors know and enjoy the predictability.

All of the operators (Jerry, Dick and Jackie) are in agreement that all the cards should be put on the table and do the CUP. Don said that we are looking to stop continual extensions. Rich turned the tables a little bit, out in the middle of nowhere, ten miles from any road, and we are building a nuclear facility and they need gravel resources. Do you want to be required to go through the CUP process for a very small amount of material? Jackie said yes and Jerry nodded in agreement. Jackie said that perhaps next to the nuclear plant maybe there is exceptional gravel and a permanent pit is needed. What if it is next to a subdivision? Jackie said it would be in your CUP regardless. Sandy rhetorically asked that if time was included? Tom said that we are trying to make a process that is going to provide time limits. These recommendations came from the sub-committee group. It was decided that the CUP process was too onerous. Jackie does not think it should be an easier track for people to take. Dick said that the county process needed to be made faster, and complained about the employees. I told him that was not fair and we needed to look at the application. Rich said that it was not supposed to make things harder it was supposed to make them easier. Sime is doing a large subdivision that does not have on-site material, so they could go offsite and do a temporary pit. It would be easier. Jackie said no. The difficulty of what you need to go through should be the information that we (county) need to review. Jackie had to leave the meeting (7:55) and could not support the classification system. Don was confused since Ron was on the sub-committee. Rich thought it was worth continuing on the discussion. Jackie thought that we were thinking she was trying to cover her butt, but she said she is not and that she just wanted predictability for all pit operators. Rich wanted to add the classes underneath the CUP. Don asked if industry would be interested in having a non-extendable CUP?

Jackie said no. Sandy said maybe Ron could explain this better. Jackie said they spoke and everybody should have the same process. Don said everybody has a choice.

Weekly meetings starting next Wednesday July 15, 2009.